



**Subject:** Neighbors Helping Neighbors  
**Process Owner:** Division of Community Assistance and Development  
**Effective Date:** 09/01/2023  
**Revision Number:** 1

## **NEIGHBORS HELPING NEIGHBORS POLICY**

### **I. POLICY STATEMENT**

Neighbors Helping Neighbors (“NHN”) is a State-funded crisis benefits program designed to assist low-income Arizona residents with utility and weatherization expenses. It is intended to function as a supplemental funding source to existing utility assistance programs, such as LIHEAP, for households in crisis when those programs do not meet an entire household’s immediate crisis burden.

State taxpayers may voluntarily contribute to the NHN funding pool by electing to reduce tax returns or by adding a contribution amount to Arizona State tax payments in accordance with [A.R.S. 43-616](#).

The Department of Economic Security (DES), Division of Community Assistance and Development (DCAD), administers the program by partnering with contracted Community Action Agencies (CAA).

**II. TABLE OF CONTENTS**

**I. POLICY STATEMENT..... 1**

**II. TABLE OF CONTENTS..... 2**

**II. APPLICABILITY..... 3**

**III. AUTHORITY..... 3**

**IV. DEFINITIONS..... 3**

**V. STANDARDS..... 4**

    A. Contracted Providers..... 4

    B. Eligibility for Utility Benefits..... 5

    C. Applicants Residing on Indian Lands of Federally Recognized Tribes..... 6

    D. Energy Burden Determination..... 6

    E. Qualifying Benefit Types..... 7

    F. Other Potential Eligibility Types..... 7

    G. Prudent Decision-Making Principles..... 7

    H. Document Retention Requirements..... 8

    I. Policy Administration..... 8

**VI. PROCEDURES..... 8**

    A. Program Funding..... 8

    B. Contractor Administration..... 9

    C. Application Processing..... 9

    D. Disbursement of Benefits by CAA..... 13

    E. Grievances..... 14

        4. Reconsideration by DES..... 15

        5. Reconsideration Processing..... 16

        6. Decisions on Reconsideration..... 19

    F. Program Monitoring and Audits..... 21

    G. Confidentiality..... 22

    H. Welfare Fraud Prevention and Penalty..... 22

**APPENDIX A - Neighbors Helping Neighbors Benefit Formulas and Matrix..... 24**

**APPENDIX B - LIHEAP ELIGIBILITY WORKSHEET..... 26**

**APPENDIX C - Proposition 200 Instructions..... 28**

**II. APPLICABILITY**

This policy applies to DES Employees, including contractors, navigators, volunteers, and staff involved in the administration of the NHN Program.

**III. AUTHORITY**

<a href="#"><u>A.R.S. § 46-741</u></a>	Neighbors Helping Neighbors
<a href="#"><u>42 U.S.C. § 8621-8630</u></a>	Low Income Home Energy Assistance
<a href="#"><u>42 U.S.C. § 9914</u></a>	CSBG Act
<a href="#"><u>A.R.S. § 46-140.01</u></a>	Verifying applicants for public benefits

**IV. DEFINITIONS**

**Address Confidentiality Program (ACP):** A program administered by the Arizona Secretary of State that ensures a participant’s protected information is confidential by using a substitute address and redacting physical addresses from electronic and hard-copy records. ACP applies to home, work and school addresses.

**Applicant:** A person who applies for or receives benefits under this policy.

**Client Advocate Team (CAT):** A designated panel of DCAD Program experts that review grievances and associated case files, evidence, and statements provided by Clients, when requested.

**Community Action Agency (CAA):** A contracted, independent community non-profit organization responsible for administering the application process and funding for individual applicants.

**Contract:** The document which outlines the duties required by a Community Action Agency to deliver the NHN Program, including facility, compliance, reporting, and adjudication requirements.

**Contractor:** A Community Action Agency (CAA) or its subcontractors, vendors, volunteers, and staff responsible for any part of the administration of the Program that are not employed, paid or unpaid, by the Department or Division.

**DCAD:** The Division of Community Assistance and Development (DCAD) supports housing and energy stability in Arizona by administering benefits programs that help

families in temporary crisis situations. Some of the programs are delivered directly by DES employees and others in partnership with contractors and community agencies.

**Eligibility Period:** The 12-month period for which an Applicant is eligible for an annual NHN benefit. The Eligibility Period begins on the date the Applicant's application is approved, and extends for 12 months (365 days) from the approval date.

**Employee:** Any full-time or part-time worker, or temporary paid or unpaid worker, who is employed directly by DES.

**Family Assistance Administration (FAA):** An agency within DES which is tasked with the citizenship verification check for purposes of this policy.

**Federal Poverty Level (FPL):** A level of household income determined by the United States Office of Management and Budget (OMB), reported in the *Federal Register*.

**Household:** One or more persons occupying a residence at the time of application.

**LIHEAP:** The DES program, administered by the Division that provides heating and cooling energy assistance to eligible Arizona households.

**Qualified Noncitizen:** A "qualified alien" as defined by the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* ([Pub. L. 104-193](#), [8 U.S.C. § 1641\(b\)](#)), see also, Federal Register notice dated August 4, 1998 ([63 FR 41657](#)), who is not a citizen of the United States but is eligible for state and local public benefits programs based upon enumerated criteria. Qualified Noncitizens may fall into any of the following categories: Lawful/legal permanent residents; asylees; refugees; noncitizens paroled in the U.S. for at least one year; noncitizens whose deportations are being withheld; noncitizens granted conditional entry (prior to April 1, 1980), battered noncitizen spouses, battered noncitizen children, the noncitizen parents of battered children, and children of battered parents who fit certain criteria; Cuban/Haitian entrants; or victims of a severe form of trafficking.

**Temporary Housing:** Short-term housing which can include hotel/motel, emergency shelter, or other transient housing program.

**Utility:** A person or company that transmits, sells, delivers, or furnishes electricity, water, gas, combustible materials for heating a home, or telecommunication services for public use.

## V. STANDARDS

### A. Contracted Providers

1. DES may contract with local CAA's to deliver NHN funds in accordance with U.S. Department of Health and Human Services standards.

- a. The organizational makeup of CAA's should reflect the standards outlined in the [U.S. Department of Health & Human Services, Administration for Children & Families, Office of Community Services' CSBG IM #138, published January 26, 2015.](#)
- b. Contracts between DES and CAA's outline Contractor's duties, which include:
  - i. Providing a physical location for applicants and potential clients that is compliant with all contractual and State of Arizona building and facility requirements;
  - ii. Application intake, processing, and case management;
  - iii. Distribution of benefits to Utility providers and vendors;
  - iv. Providing timely reports to DES; and
  - v. Compliance with all contractual expectations.
- c. The expectations and requirements outlined in this policy and the Contract apply to any staff, volunteers, vendors, and Contractors selected by CAA to fulfill its obligations to DES. CAA is responsible for all parties' compliance with this policy and its respective Contract.

## **B. Eligibility for Utility Benefits**

1. An Eligible Household has a total gross income determined to be at or below:
  - a. 125% of the FPL, or
  - b. 150% of the FPL when the Household contains one or more individuals that:
    - i. are 60 years of age or over; or
    - ii. have a disability.
2. At the time of the application, the Applicant must be:
  - a. A U.S. Citizen or Qualified Noncitizen;
    - i. Citizenship or immigration status must be verified in accordance with this Policy, [A.R.S. 46-140](#) and DES 1-01-20;
  - b. A resident of the State of Arizona; and
    - i. An Applicant is not a resident while traveling through the State without regular domicile in Arizona.

ii. A homeless applicant/household is eligible to receive benefits to establish utility service for a permanent residence in Arizona.

c. Applying on behalf of a Household located within the State of Arizona.

**C. Applicants Residing on Indian Lands of Federally Recognized Tribes**

1. Applicants residing on Indian Lands of Federally Recognized Tribes are not excluded from potential eligibility for NHN benefits in Arizona.

**D. Energy Burden Determination**

1. Applicants must show proof of an obligation to pay for an energy utility burden.

a. The benefit amount is contingent upon the Household's total taxable income, utility burden, and household composition.

i. The benefit matrix used to calculate the energy burden and subsequent potential benefit is provided in Appendix A.

2. A Household can qualify for an NHN benefit one time for each consecutive 12-month Eligibility Period.

a. The Eligibility Period begins on the date the Applicant's NHN benefit is approved.

b. Example: Applicant A applies for NHN benefits on November 1, 2022, and their application is approved on November 4, 2022. A's 12-month Eligibility Period begins on November 4, 2022, and they may re-apply for NHN on November 4, 2023, after 12 months have passed.

**E. Qualifying Benefit Types**

1. Eligible benefit payments can be made for:

a. Utility assistance, which can include:

i. Energy bills/expenses for the household, regardless of the energy type (e.g. natural gas, electric, pellet, propane, etc.);

ii. Water bills, including sewer and wastewater expenses;

iii. Telecommunications bills:

a) phone;

- b) internet;
  - c) satellite communications; but
  - d) does not include streaming subscriptions, entertainment packages, and cable television, etc.
- b. Expenses that have not previously been paid by any other public, private, or charity program;
  - c. Payments to landlords when metered utility costs are included in the Household's monthly rent (excluding Government-subsidized housing); and/or
  - d. Temporary emergency shelter when the emergency is related to an energy crisis or economic situation resulting in utility instability.

#### **F. Other Potential Eligibility Types**

1. In qualifying situations, subject to all other eligibility requirements, funds may be used for Applicant Households to establish utilities when acquiring a long-term permanent residence.
  - a. A long-term permanent residence requires proof that the Applicant intends to reside in the residence for a minimum of six months.
    - i. A written lease is evidence of this requirement, for example.
  - b. Eligible benefits may include deposits and costs to install, provide, or initiate energy utility services in the residence.
2. A CAA may use funds to supplement its weatherization program benefits for State residents.

#### **G. Prudent Decision-Making Principles**

1. The policies and procedures included in this Policy compile and prescribe guidance for determining eligibility, delivering benefits, and administering the Program. Employees and Community Navigators will use reason and apply good judgment in making decisions when addressing specific needs or scenarios of an Applicant or Household not specifically addressed by this Policy or referenced Authority. Decision-making by Employees based on the best information available, program knowledge, experience and expertise is referred to as the Prudent Decision-Making Principle. Prudence may also include seeking DCAD or DES guidance on specific Program or policy interpretation. Employees should document their rationale used to

make decisions not contemplated by this Policy or Authority, and cite any applicable references.

#### **H. Document Retention Requirements**

1. Document retention requirements are determined by the State of Arizona and DES divisions may have internal program-specific retention schedules.
2. The Division appoints records liaisons to guide Programs with document retention requirements and provide support to Program teams.
3. For specific document retention guidance, a Contractor should work with its Program liaison to determine requirements for each type of document created while a Contractor for the Department.

#### **I. Policy Administration**

1. Updates and/or amendments to this Policy will be issued as complete numbered revisions, superseding this Policy, in conjunction with any relevant Policy Memorandum summarizing changes.
2. Minor clarification to this Policy may be issued in the form of Policy Memoranda, providing interim guidance between revisions.
3. Questions or requests for clarification regarding this policy should be submitted via email to:

[dcadcaps@azdes.gov](mailto:dcadcaps@azdes.gov), and  
[dcadpolicy@azdes.gov](mailto:dcadpolicy@azdes.gov)

Subject: Neighbors Helping Neighbors Policy Questions & Clarifications

Please include your name, a contact phone number, and details regarding your inquiry.

### **VI. PROCEDURES**

#### **A. Program Funding**

1. Individual contributions may be made by residents of the State of Arizona through voluntary elections on their State tax filing (A.R.S. 43-616).
  - a. Contributions may be made:
    - i. As a reduction from the tax return; or
    - ii. As a contribution, by adding it to the Arizona state tax payment.
  - b. Contributions are transferred to DES for deposit into the NHN fund, which is administered by the Division.

## **B. Contractor Administration**

1. CAA's will administer the Program to Applicants in accordance with this Policy and applicable DES Contracts.
  - a. CAA's shall be organized according to the Federal Office of Community Standards (OCS) CSBG Organizational Standards for low-income service providers;
    - i. Comprehensive standards for public and private entities are available from the Center for Excellence [Community Action Partnership resources](#)
    - ii. Insurance certificates, as outlined in Contract, must be maintained, along with other building standard certifications.
  - b. DES may request proof of compliance with any Contractual requirement at any time.
  - c. Staff Training and Information Security
    - i. CAA's will comply with DES and contractual requirements for ensuring proper vetting, qualification, and training of staff and volunteers to ensure the safety and security of the public and applicants.
    - ii. CAA's will ensure compliance with any applicable Data Sharing Agreements, and State records retention schedules.
2. Points of Contact
  - a. CAAs will liaise through a contractually established cadence (minimum) with the Program Manager(s) and DCAD Contracts Liaison(s).

## **C. Application Processing**

1. Application Requirements
  - a. Documentation of Eligibility
    - i. Document the total household income and determine whether it meets the 125% or 150% federal poverty level threshold.
    - ii. Calculate benefit types and amounts according to established matrix formulas and eligibility guidelines, as outlined in Appendix A.

- a) A LIHEAP Eligibility worksheet should be completed and retained with the application.
      - b) A sample of this worksheet is provided in Appendix B.
    - iii. Retain a copy of the current utility bill(s) or other proof of expenses provided by the Applicant in the digital or paper file.
  - b. Application and Household Information required for a CAA to adjudicate an application for NHN benefits includes:
    - i. Applicant name and address;
    - ii. A list of all Household members;
    - iii. Proof of income for each member of the Household 18 years of age or older;
      - a) For Household members with no income, documentation of 'No Income' statements are required;
      - b) Proof of income may include W2, 1099, tax return, paystub, and/or self-employment records.
    - iv. A determination whether or not the Household contains a member of a demographic class identified in the Benefit Matrix (Appendix A);
    - v. A method to track and retain proof of compliance with the Statutory citizenship requirement of this policy (See VI(C)(2), Appendix C); and
    - vi. An Affidavit of truthfulness completed by the Applicant.
  - c. An application for benefits may be completed on paper or electronically, provided documentation is retained as required.
2. Citizenship and Immigration Status Verification Requirements
  - a. Applicants must be eligible U.S. Citizens or Qualified Noncitizens; in accordance with Arizona Revised Statute (ARS 46-140.01) and DES Policy (1-01-20):
    - i. Self-Authenticating Identification Documents. Verify Identification of the applicant.
      - a) If the Applicant possesses an identification document listed in Appendix C, Federal citizenship and

immigration verification has already been completed at issuance and further verification is not required.

- b) Scan and retain a copy of the Applicant's identification, and retain it with Applicant's case file.
- c) If the Applicant **does not** possess, or cannot timely acquire an identification document listed in Appendix C, proceed to USCIS SAVE Verification (below).

ii. USCIS SAVE Verification. When identification documents are provided that are not listed in Appendix C, Contractor shall verify through DES that the applicant is a citizen or Qualified Noncitizen of the United States in accordance with DES 1-01-20-01, *Verification of the Identity and U.S. Citizenship or Immigration Status of Application for Specified Programs Procedures*:

- a) Complete and Submit Part II of DES-1024A Turn-around Document (TAD), *Request for Identity and Citizenship or Immigration Status Determination* and submit to the FAA with the verification documents in accordance with Form guidance.
  1. FAA will review the documents and conduct an immigration check in the USCIS SAVE database within two business days of receipt;
  2. FAA will return the completed document to the sender with immigration status updated within two business days; and
    - a. FAA will report all applicants in violation of federal immigration law in accordance with DES-1-01-20-01 and applicable law.
  3. The document must be retained by the CAA along with the verification and immigration documents submitted by the applicant.
  4. Program liaisons can assist with providing this form and guidance when the verification is needed for an application.

- b) Alternatively, the DES-1024A can be completed and forwarded to your DCAD liaison for handling:
            - 1. DCAD will route DES-1024A to the appropriate agency within one business day for processing and return completed form to CAA.
            - 2. CAA shall retain the documents accordingly.
  - b. If the Applicant does not possess a self-authenticating identification, fails the FAA SAVE check, or otherwise is unable to verify citizenship and immigration status, benefits cannot be disbursed on behalf of the Household.
3. Application Timelines
  - a. CAAs are obligated to perform application intake as outlined in the CAA's specific Contract, which at minimum requires a case worker to:
    - i. Acknowledge the urgency of an application's situation and potential for housing or utility instability and operate in a manner where time is of the essence and will:
      - a) Adjudicate applications and notify applicant households of result promptly;
      - b) Process payments directly to utility providers, vendors, or to the applicant (for portable fuel purchases only) as soon as practicable after an eligibility determination is made.
4. Accommodations
  - a. Provide application accommodations for applicants according to their specific needs, and in accordance with DES Policy and applicable law;
    - i. CAA staff and adjudicators must not discriminate against any applicant that is a member of a protected category.
    - ii. Accommodate applicants with disabilities by
      - a) physically providing access to facilities and complying with life safety building regulations,

- b) providing additional help with the application process in the form of alternate application methods, or
  - c) any other means to enhance participation for all applicants for NHN benefits.
- iii. Follow Limited English Proficiency guidelines, including use of language lines and multilingual staff; and
- iv. Comply with the [DCAD Address Confidentiality Program](#) including documenting training of staff to recognize ACP applicants and their participation in the program. An employee shall not intentionally or knowingly disclose a program participant's real home, work or school address, or telephone number unless the disclosure is permissible by law.
- b. CAA's should acknowledge that there may be technology and language barriers to accessing services and work to resolve these barriers for clients.
- c. Unusual circumstances may arise, and CAA should work with its Division liaison for policy and procedural guidance when seeking to accommodate any specific case.

#### **D. Disbursement of Benefits by CAA**

- 1. Decision Notices
  - a. Program decision notices must be issued within one business day of the decision.
    - i. Approval Notices. Approval notices will be issued when the decision is made to grant benefits. An approval notice will include;
      - a) The date of the decision;
      - b) The amount of the benefit; and
      - c) The applicant's appeal rights.
    - ii. Denial Notices. Denial notices will be issued when the decision is made to deny benefits due to ineligibility, missing documentation, or another reason. Denial notices will include:
      - a) The date of the decision;
      - b) The basis of the denial; and

- c) The applicant's appeal rights.
  - iii. A copy of all decision notices will be retained by the CAA.
    - a) DCAD has records liaisons that can assist with compliance with the records retention schedule.
    - b) CAA must retain and store documents according to the DCAD and DES records retention standards.
- 2. Benefits must be disbursed timely after benefits are approved.
  - a. Utility benefits can be paid to:
    - i. Landlords when rent is combined with utilities according to written lease or contract;
    - ii. Utility and telecommunications vendors to be credited directly to consumer's account;
    - iii. A provider, or the applicant, for portable fuels such as propane, wood, coal, or pellets.
  - b. Utility assistance may also be provided for displaced households to secure utility service at a residence.
- 3. Vouchers may be used in some cases to assist an approved applicant.
- 4. CAAs are expected to maintain a payment system that includes electronic funds transfer to utility providers and vendors in order to meet client needs in the most efficient manner possible.

#### **E. Grievances**

- 1. CAAs must have a documented grievance procedure in place, which is available to an applicant upon request. The grievance process must allow for an Applicant to attempt to resolve complaints at the local level in an informal manner.
  - a. Applicants will first follow the CAA grievance process for grievance resolution.
  - b. If the Applicant's grievance is not resolved in full, the applicant may request Reconsideration of the contractor's decision by DES.
- 2. Notice of an Applicant's right to file a grievance must be provided:
  - a. On any website available to the public about the Program;
  - b. In writing at the time of application; and

- c. On all approval and denial benefit decision notices.
3. The CAA grievance processes shall, at a minimum:
- a. Consider grievances based upon a preponderance of the evidence standard. This standard considers whether it is more likely than not that the decision made was correct. This decision must be based on Program policy guidelines, and relevant Arizona statutes and other applicable law;
  - b. Provide the Applicant an opportunity to be heard or to provide additional evidence which supports the application as part of the grievance process; and
  - c. Accept submission of Applicant grievances at least 10 calendar days from the date of the decision letter.
  - d. Issue a written grievance decision notice affirming or amending the original benefits adjudication decision or amount within 15 calendar days of receipt of grievance; and
  - e. Provide notice of the Applicant's right to request reconsideration of the CAA decision by DES if grievance is not granted in full.
4. Request for DES Grievance Review

Applicants may request Reconsideration by DES of any final Adverse Action or benefits determination made by a CAA. An adverse action or benefits decision is final when the Applicant has exhausted the CAA grievance process. This is an expeditious means for Applicants to seek resolution of questions or disputes regarding application decisions. A request for Reconsideration does not limit an Applicant's right to appeal; if unsatisfied with the outcome of reconsideration, an Applicant may then Appeal.

- a. A request for Reconsideration must be submitted in writing within 10 calendar days from the date of the adverse action or benefits decision is final.
  - i. The adverse action or benefits decision is final when the applicant has exhausted the CAA grievance process, starting from the date of the final grievance decision notice provided to the Applicant per CAA grievance policies and procedures.

- ii. A request for reconsideration will be submitted to the CAA, and the Contractor will forward the request to DES within one business day.
  - b. A request for reconsideration must include:
    - i. Applicant's full name and Application ID number;
    - ii. Applicant's current contact information; and
    - iii. Applicant's basis for Reconsideration, including any substantiating information.
  - c. Incomplete Requests
    - i. Will be returned to the CAA for additional processing and coordination with the Applicant. DES may also contact an Applicant regarding a grievance directly. A Reconsideration request is incomplete if:
      - a) Missing sufficient identifying information to determine the application or decision seeking reconsideration; or
      - b) Lacking an articulated grievance.
    - ii. Any further ambiguity or lack of evidence or information in a Reconsideration request does not constitute an incomplete request, and shall be addressed during review.
- 5. Reconsideration Processing
  - a. Timelines
    - i. Requests for Reconsideration will be processed within 30 calendar days, from the date a request for reconsideration is received by DES to notification of the CAT's decision.
 

Note: Any requested delays by the Applicant for the purposes of scheduling a conference are not counted towards processing time.
  - b. Designation of CAT Reviewers
    - i. Upon receipt of a request for reconsideration, one (1) CAT member will be designated the Primary Reviewer, and one (1) CAT member will be designated as the Secondary Reviewer
      - a) Primary and Secondary Reviewers will be assigned on a pseudo-random, rotating basis so that on average,

each CAT member will serve as a Primary and Secondary Reviewer on an equal number of cases and at a regular cadence.

- b) Primary Reviewers have full responsibility over review and analysis of the Request, and make initial determinations.
- c) Secondary Reviewers do not have responsibility over Requests until the Primary Reviewer has completed review and an initial determination is made, at which time the Secondary Reviewer will complete a case review.

Note: CAT Members who have a limited program designation may only be assigned as a Primary or Secondary reviewer for cases in their designated program area(s).

ii. Conflict of Interest.

- a) Personal Relationship. A CAT member may not review a Reconsideration request relating to any person that the CAT member knows or otherwise has a personal relationship, including a friend, neighbor, relative, or other individual. Any such relationship, which may raise a question of the CAT member's impartiality, must be avoided.
- b) Prior Adjudication. A CAT member may not review a Reconsideration request relating to any person or case in which the CAT member made a prior adjudication decision.
- c) Any CAT member who identifies a Conflict of Interest in a request will notify the CAT Supervisor of the conflict and take no action on the Applicant's case.

c. Reconsideration Notice. Upon receipt of a Reconsideration Request and assignment of a Primary Reviewer, a Reconsideration Notice will be sent to the Applicant. A Reconsideration Notice includes:

- i. A statement that the Applicant's reconsideration request has been received and is being processed;

- ii. Information on how to submit additional information (in writing) or documentation to the CAT for review as part of the Reconsideration Request;
  - iii. That the Applicant has the opportunity to be heard regarding their request at a conference, and how to request a conference;
  - iv. Notice that the conference may be waived and failure to timely request a conference constitutes waiver;
  - v. Notice that any information submitted by the applicant prior to the submission deadline (or waiver, in the event of waiver) will be considered as part of the Reconsideration.
- d. Reconsideration Conference. Applicants will be provided the opportunity to present information and evidence at a conference.
- i. This requirement may be met by teleconference.
  - ii. An Applicant may waive or decline their opportunity to be heard.
- e. CAT Reconsideration Review
- i. Evidence Considered. CAT Reviewers will consider all evidence presented by the Applicant and associated case file information. A lack of evidence may also constitute evidence.
    - a) Evidence presented by the Applicant includes: Statements or evidence submitted as part of the Reconsideration request, documents referenced in such a request, and/or evidence/statements reasonably provided by the client to the CAT by any other means.
    - b) The associated case file information includes any DES documentation related to the Program to which the Reconsideration request pertains. The CAT shall review any case file documentation which is in the possession of the Program.
  - ii. Factual Determinations. Any factual determinations made by the CAT will be made using the preponderance of the evidence standard, that is, whether it is more likely than not that a fact in question occurred.

- iii. **Weight of Evidence.** While CAT Reviewers must consider all evidence, they must also give all evidence appropriate weight based upon its believability or persuasiveness in light of the full circumstances, their expertise, and other evidence.
- iv. **Consultation.** CAT Reviewers may consult relevant DES subject-matter experts, and may consider and/or rely upon information provided, in conducting review.
- v. **Requests for Additional Information or Evidence.** CAT Reviewers may request additional information or evidence from the applicant if:
  - a) A decision cannot be made on the Reconsideration request, and the requested information or evidence is likely to aid in a decision;
  - b) The requested information or evidence cannot otherwise be located
  - c) The requested information is not suspected to be related to fraud or criminal activity; and
  - d) The Applicant is informed that there has not been a decision on their Reconsideration request, the requested information/documentation believed to be necessary to resolve the Reconsideration request, any information provided by the applicant is voluntary, how to provide responsive information, and that any responsive information must be provided in five (5) calendar days to be considered.

Note: Requests for information may be made verbally or in writing.

## 6. Decisions on Reconsideration

- a. **Preliminary Decision.** After a review of all evidence and holding of any conference, the Primary Reviewer will issue a preliminary decision.
  - i. **Available Actions.** The CAT will issue one of the following decisions:
    - a) **Granted in Full.** All parts of the Applicant's request are granted;

- b) Granted in Part. Some, but not all parts of the Applicant's request are granted and the Applicant is notified of the opportunity to appeal; or
    - c) Decision Upheld. No parts of the Applicants request are able to be granted and the adjudication decision is upheld; the Applicant is notified of the opportunity to appeal.
  - ii. Expedited Preliminary Decisions. In cases where review of evidence clearly indicates that the Applicant's request will be Granted in Full, a preliminary decision - and subsequent Decision Review, Decision Notice, and Adjustment Processing - may be completed prior to a conference to expedite Applicant resolution.
    - a) Applicants will be informed that after a review of the evidence and case file, the request was granted in full; though a conference was requested, additional information was not required to grant the request. The Applicant may then elect to waive the conference, or appear as scheduled to discuss the request.
    - b) Expedited preliminary decisions may not be made in cases where the action is Granted in Part or DES Decision Upheld.
- b. Decision Review. After a preliminary decision has been made, the designated Secondary Reviewer will review the preliminary determination. The Secondary Reviewer may:
  - i. Concur. The Secondary Reviewer concurs with the preliminary decision based upon a review of the case file; the decision is now final and a Decision Notice is issued.
  - ii. Non-concur. The Secondary Reviewer does not concur with the preliminary decision based upon a review of the case file; if the Primary and Secondary Reviewer do not agree on the preliminary decision after a review and discussion of the case, the case is forwarded to the CAT Supervisor.
    - a) The CAT Supervisor will then review the case, make a final decision and a Decision Notice is issued.

- c. Decision Notices. The CAT will issue decision notices to Applicants in writing. Notices will include:
  - i. The Applicant's source application information;
  - ii. The date of the decision;
  - iii. The CAT's final decision;
  - iv. A statement that the Applicant's request for Reconsideration was processed in accordance with Grievance Policy and all evidence submitted by the Applicant considered prior to issuance of the decision; and
  - v. If the decision is Granted in Part or the Decision Upheld, information regarding the Applicant's rights to appeal.

**F. Program Monitoring and Audits**

- 1. Program monitoring and formal audits generally consist of evaluations of internal processes and procedures for compliance with all requirements of federal, state and local laws, CAA-Division contracts, and this Policy.
  - a. CAAs will be audited a minimum of once every three (3) years, focusing on program, fiscal, policy, citizenship compliance, and general contract compliance.
  - b. Ongoing monitoring will be performed in accordance with the contract/monitoring policy at the Division level.
- 2. Contractors and Subcontractors
  - a. Contractors will ensure regular monitoring and compliance of any subcontractors which provide services on behalf of the Contractor in completion of Program services for provision to DES, which may include:
    - i. Regular site visit audits of vendors and Subcontractors;
    - ii. Established written procedures for carrying out contracted work product or the provision of resources by vendors;
    - iii. Regular reporting schedules with any subcontractors for any reports, data, or other information required to be provided to DES, so such information is available upon request; and

- iv. Evidence of quarterly meeting cadence and regular communication efforts regarding program standards, performance, and expectations.
- 3. Administrative Expenses. Administrative expenses cannot exceed 10% of the fund's total costs plus disbursements during each Fiscal Year, and allocated according to the below rules:
  - a. No more than 2% can be used for administrative expenses by DES.
  - b. No more than 8% can be used for administrative expenses by CAA and any potential Subcontractors.
- 4. Annual Reporting.
  - a. An annual accounting report of all collections, expenses, and disbursements must be prepared after each Fiscal Year and:
    - i. The DES Director must submit this report to the State legislative committee by October 15 following the end of the fiscal year.
    - ii. Other information may be requested by the legislature and is due at the same time.

#### **G. Confidentiality**

- 1. Information collected by the Program and during an appeal is confidential under A.R.S. § 41-1959 unless such confidentiality is waived.
- 2. The State of Arizona DES, DCAD, Auditor General's Office, Arizona Courts, and the Office of Inspector General (OIG), or authorized representatives of either, shall have the right of access to confidential records to conduct audits or investigations.

#### **H. Welfare Fraud Prevention and Penalty**

- 1. Employees of both DCAD and CAA's will take multiple steps to detect and prevent instances of Welfare Fraud. Specifically, Employees will review the energy bill and other associated documents and evidence for signs of fraud.
- 2. Applicants are required to attest they are not receiving benefits under LIHEAP or NHN for energy or utility expenses already paid by any other assistance program. Providing false statements may be punishable by law and/or result in denial or disqualification from LIHEAP and NHN benefits.

3. In cases where potential Welfare Fraud is detected, Employees will document the suspected nature of the fraud, any relevant information (e.g., known facts, statements, witnesses, or other knowledge possessed by the employee regarding the matter) and refer the matter to the Office of the Inspector General for investigation.
4. When Welfare Fraud is detected, external parties shall:
  - a) Call the DES Fraud Hotline at (800) 251-2436; or
  - b) Complete the online [Fraud Reporting Form](#).
5. If DES determines that an Applicant has committed an intentional program violation or defrauded NHN, the Applicant will be subject to denial of NHN benefits, disqualification from the Program, and criminal prosecution.
  - a) Applicants are subject to 12-month disqualification for a 1st violation, 24-month disqualification for a 2nd violation, and permanent disqualification for a 3rd violation.

**APPENDIX A - Neighbors Helping Neighbors Benefit Formulas and Matrix**

(Based on: LIHEAP Heating/Cooling Benefit Matrix FFY2023)

Payment guidelines are based upon the household’s income and energy needs. Households with the lowest income and highest energy needs are eligible for higher benefits.

1. Income Eligibility:

Based on the higher of 125 percent or 150 percent (for qualifying Applicant household demographics) (125%/150%) of the Federal Poverty Level Guidelines. Income-to-household size ratio is determined by the variance of the poverty scale:

<u>Percent of Poverty</u>	<u>Points Applied</u>
0% - 25%	5 points
26% - 50%	4 points
51% - 75%	3 points
76% - 100 %	2 points

2. Energy Burden:

Monthly Utility Cost Divided by Monthly Gross Income = % of Energy Burden

<u>Energy Burden Percentage</u>	<u>Points Applied</u>
5% or less	0 points
5% - 10%	3 points
10% - 15%	4 points
15% - 20%	5 points
20% or Over	6 points

**\*NOTE: Add 2 points for deliverable/portable fuel usage**

3. Energy Need:

Elderly	1 point
Disabled	1 point
Child age 6 or younger	1 point
Veteran	1 point

**\*NOTE: Only one point per category allowed**

**APPENDIX B - LIHEAP ELIGIBILITY WORKSHEET**

Effective October 1, 2022

APPLICANT NAME:

DATE:

**1. INCOME ELIGIBILITY**

Gross Income, Past 30 Days \$

<b>% of Income FPL</b>	<b>Points</b>
0% - 25%	5 points
25% - 50%	4 points
50% - 75%	3 points
75% - 100%	2 points

Income Points (a):

**2. ENERGY BURDEN**

To calculate:

- A. Use one month's bill
- B. If the client does not have a copy of their bill, call the utility company for the actual cost (document collateral contact)
- C. A written client statement can be used for portable fuels when the client does not have an invoice or estimate

Electric \$ + Gas \$ + Fees \$ + Portable Fuel \$ = \$ Total Monthly Cost  
 Total Monthly Cost \$ ÷ 30 Days Gross Income \$ = % Energy Burden Monthly  
 (Total Monthly Utility Cost Divided by Monthly Gross Income = % of Energy Burden)

<b>Energy Burden</b>	<b>Points</b>
Less than 5%	0 points
5 - 9%	3 Points
10% - 14%	4 Points
15% - 19%	5 Points
20% or More	6 Points

Deliverable fuel Points (include in Energy burden Points below):

**Note:** Add 2 points for portable fuels

Energy Burden Points (Total from table + Portable Fuel points) **(b)**:

**3. ENERGY NEED**

Elderly 1 point **(c)**:

Disabled 1 point **(d)**:

Veteran 1 point **(e)**:

Child age 6 or younger 1 point **(f)**:

(Only one point per category allowed)

**4. PAYMENT MATRIX**

Total Points	Payment Amount
1-4	\$ 480
5-6	\$ 640
7-8	\$ 800
9 or Over	\$ 1200

Total All Points (a+b+c+d+e+f):

Allowable Payment:  
**(\$1200 limit)**

## APPENDIX C - Proposition 200 Instructions

### VERIFICATION OF U.S. CITIZENSHIP DOCUMENTS

Arizona Revised Statutes, Section 46-140.01, requires that local governments and agents verify the identity and citizenship and/or immigration status of persons applying to receive benefits provided with State funds. This statute applies to Neighbors Helping Neighbors (NHN).

Most federally-funded programs also require verification of identity and/or citizenship of one or more family members.

Original documents, as listed below, are compliant with immigration verification requirements and screened for compliance by the issuing agency as part of the document's application process. If the Applicant does not possess, or cannot timely acquire an identification document listed below, completion of DES-1024A for USCIS SAVE Verification is required.

Acceptable documents to verify U.S. citizenship and identity include the following documents:

- REAL ID-compliant Driver License or Identification Card issued by any State within the U.S.
- Certified birth certificate issued by a U.S., state, or local governmental bureau of vital statistics.
- Certificate of Birth issued by the Department of State (FS-545 or DS-1350).
- American Indian census record. The tribal boundaries of a federally recognized United States Native American Indian Tribe may extend into a foreign country. Treat enrolled members of that tribe born outside the United States the same as a citizen of the United States.
- Naturalization papers. Naturalized citizens have a Certificate of Naturalization (N-550 or N-570) issued by the U.S. Department of Justice.
- Report of Birth Abroad of a U.S. Citizen (FS 240) issued by the U.S. State Department.
- U.S. Department of Justice Certificate of Citizenship and United States Citizen Identification card.
- Some citizens born outside the 50 states and the District of Columbia may have a Certificate of U.S. Citizenship (N-560 or N-561) issued to them by the U.S. Department of Justice. These citizens may also have one of the following:
  - A United States Citizen Identification Card (I-97).
  - An Identification Card for Use of Resident Citizen (I-179).
- U.S. Passport
- Verification from the United States Citizenship and Immigration Services (USCIS).
- Verification from the Social Security Administration (SSA).